

Appln. No. 10/606,535
Amdt. dated June 30, 2004
Reply to Office Action of May 24, 2004

REMARKS

Claims 1-36 are pending; claims 1-21 are withdrawn; claim 22 is amended, and therefore claims 22-36 remain for consideration.

Claims 22-27 and 29-34 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Pat. No. 6,521,074 to Chabirand Garconnet (hereinafter "Garconnet"). The rejection is traversed and reconsideration is respectfully requested, particularly in view of the clarifying amendment to claim 22.

Garconnet is directed to an installation comprising a cutting-out table receiving sheet material from a loading station, and an unloading station for unloading cut-out pieces. A flexible sealing film is brought onto the sheet material upstream from the cutting-out table, and it is applied by establishing suction at the surface of the cutting-out table. After cutting-out, at least the skeleton of the sealing film is separated at the downstream end of the cutting-out table in order to be recovered. The recovery is preformed by automatic winding-up outside the unloading station, it being possible to deposit fastenings on the sealing film so that they straddle the cutting-out lines, or else the recovery is performed by sucking up the fragments of sealing film by means of a rotary member bearing against the sheet material.

Garconnet shows a sealing film 32 which is placed on top of a sheet material as the material is moved along a conveyor. Amended independent claim 22 of the present application, on the other hand, recites an apparatus for forming a laminate including a roll of backing material rotatably and operably positioned relative to first and second support surfaces so that during movement of the work material between the first and second support surfaces the backing material can be fed from the roll into engagement with a surface defined by the work material to form the laminate such that the backing material when engaging the surface defined by the work material is disposed between the support surfaces and the work material.

For an anticipation rejection to be appropriate, each and every element or limitation in a rejected claim must be disclosed in a single prior art reference used in the claim rejection. Because Garconnet does not disclose, teach or suggest an apparatus for forming a laminate including a roll of backing material that engages a surface defined by a work material such that the backing material when engaging

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the surface defined by the work material is disposed between the support surfaces and the work material, it cannot be maintained that Garconnet anticipates claim 22. Moreover, because claims 23-27 and 29-34 each ultimately depend from and thereby incorporate the limitations of claim 22, these dependent claims are not anticipated for at least the reasons set forth for claim 22.

Claims 22-27 and 29-34 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by WO 00/15397 (hereinafter "WO '397"). The rejection is traversed and reconsideration is respectfully requested, particularly in view of the clarifying amendment to claim 22.

WO '397 is the priority reference for Garconnet. The subject matter of WO '397 corresponds to that of Garconnet. Accordingly, it is respectfully submitted that claims 22-27 and 29-34 are not anticipated by WO '397 for at least the reasons set forth above with respect to Garconnet.

Claim 28 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over either Garconnet or WO '397 and further in view of U.S. Pat. No. 4,199,390 to Pollard (hereinafter "Pollard"). Claim 28 depends from and thereby incorporates the limitations of claim 22. The rejection is traversed and reconsideration is respectfully requested, particularly in view of the clarifying amendment to claim 22.

Pollard is directed to a method of making a composite product having a preformed, self-sustaining pliable skin sheet and a preformed non-rigid void containing, low density plastic layer. The method comprises: (1) establishing a layer of the low density plastic, (2) applying to at least one side a liquid sprayable curative, (3) next applying to the same said side thereof a liquid sprayable polymer which together with the curative is reactive at elevated temperature to form a tenacious, essentially non-porous adhesive which bonds to both the sheet and the layer, (4) next contacting the skin sheet with the side of the low density plastic layer, (5) curing the polymer at elevated temperature whereby the skin sheet is adhered to the layer.

According to the Examiner, Pollard suggests that the backing material on a roll includes foam. However, it has been demonstrated above that Garconnet and WO '397 contain insufficient teaching to anticipate claim 22 from which rejected claim 28 depends. It therefore follows that Garconnet and WO '397 contain

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insufficient teaching when each are taken either alone or in combination with Pollard to render claim 28 obvious.

Claims 35 and 36 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over either Garconnet or WO '397 and further in view of U.S. Pat. No. 5,487,011 to Chaiken (hereinafter "Chaiken"). The rejection is traversed and reconsideration is respectfully requested, particularly in view of the clarifying amendment to claim 22.

Chaiken is directed to a system for adjusting a marker in preparation for cutting. The system adapted for use with fabrics having a stripe or plaid design is characterized by computer assisted design matching that provides for automatic alignment of the fabric web with the cutting apparatus as well as matching fabrics whose designs vary in contrast. The present system also provides for coordinate matching between an image obtained by the system's camera and the actual fabric.

Apparently, the Examiner cites Chaiken for disclosing a camera to correct for alignment errors. However, it has been demonstrated above that Garconnet and WO '397 contain insufficient teaching to anticipate claim 22 from which rejected claims 35 and 36 each ultimately depend. It therefore follows that Garconnet and WO '397 contain insufficient teaching when each are taken either alone or in combination with Chaiken to render claims 35 and 36 obvious.

In view of the foregoing, it is respectfully submitted that claims 22-36 are in condition for allowance. All issues raised by the Examiner having been addressed, an early action to that effect is earnestly solicited.

No fees or deficiencies in fees are believed to be owed. However, authorization is hereby given to charge our Deposit Account No. 13-0235 in the event any such fees are owed.

Respectfully submitted,

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